IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

F.A.O. No.1903 of 2006
Date of Decision: 13.10.2006

Paramjit Kaur.

..... Appellant

Versus

Paramjit Singh and others.

..... Respondents

CORAM: Hon'ble Mr.Justice Uma Nath Singh
Hon'ble Mr.Justice Mahesh Grover

....

Present: Shri Maninder Arora, Advocate for the appellant.

....

Mahesh Grover,J.

The claimant has filed the present appeal against award dated 10.10.2005 of the Motor Accident Claims Tribunal, Fatehgarh Sahib (hereinafter referred to as `the Tribunal') in M.A.C.T.No.67T/5.10.05/9.5.02 vide which her claim for compensation on account of the damage caused to the motor cycle was rejected.

Learned counsel for the appellant has sought to assail the findings of the Tribunal on the ground that the impugned award was erroneous, in-as-much as, it had not taken into consideration the damage to the motor cycle even though the factum of the accident had been

established.

We have thoughtfully considered the submission of the learned counsel for the appellant and perused the impugned award which reveals that the appellant had failed to produce on record any positive evidence by way of report of the mechanic, extent of the damage, report of the surveyor to establish the nature and extent of the damage to the motor cycle, if any. No claim was lodged with the Insurance Company even though the vehicle was insured. The claim of the appellant, therefore, remained unsubstantiated.

There is no infirmity in the impugned award and the appeal is accordingly dismissed.

(Uma Nath Singh)
Judge

(Mahesh Grover)
Judge

October 13,2006
"SCM"